

United States District Court  
for the  
Southern District of New York

U.S. BANK NATIONAL ASSOCIATION,  
NOT IN ITS INDIVIDUAL CAPACITY  
BUT SOLELY AS TRUSTEE FOR THE  
RMAC TRUST, SERIES 2016-CTT

Plaintiff

v.

EARL W. COKLEY

Defendant(s)

Civil Action No. 7:20-cv-00381

**NOTICE OF WITHDRAWAL**

**PLEASE TAKE NOTICE**, the Plaintiff requests that its motion for summary judgment and related relief filed on June 4, 2021 (*See* Document #32) be withdrawn because the Plaintiff and Defendant settled the action and are in the process of voluntarily dismissing in accordance with Fed. R. Civ. P. §41(a)(1)(A)(ii).

DATED: February 7, 2022  
Westbury, New York

By: /SJV/  
Stephen J. Vargas Esq  
Gross Polowy, LLC  
*Attorneys for Plaintiff*  
900 Merchants Concourse, Suite 201  
Westbury, New York 11590  
Telephone: (716) 204-1700  
Facsimile: (716) 204-1702  
(Facsimile not for service)

TO:  
Aronow Law, PC  
*Attorney for Defendant Earl W. Cokley*  
7600 Jericho Turnpike, Suite 115  
Woodbury, NY 11797

Motion granted. The motion for summary judgment and related relief (Docs. 32-35) is deemed withdrawn. The Clerk of Court is respectfully requested to terminate the pending motions (Doc. 32; Doc. 37).

SO ORDERED.



Philip M. Halpern  
United States District Judge

Dated: White Plains, New York  
February 11, 2022

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EARL W. COKLEY, ET AL )

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Civil Action No. 7:20-cv-00381

**AFFIDAVIT OF SERVICE**


Melissa S. Krause, being duly sworn, deposes and states as follows:

That deponent is an employee of Gross Polowy, LLC Attorney of record for the Plaintiff in the above captioned action. That deponent is not a party to this action. Deponent is over the age of 18 years.

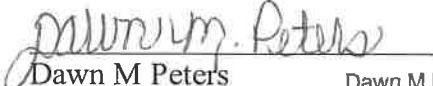
That on February 10, 2022, deponent served a true copy of the Notice of Withdrawal on the Defendant(s) or the attorneys for the Defendants, whose names, representation and designated addresses appear below or as shown on the attached by depositing a true copy of the same, enclosed in a postpaid properly addressed wrapper, in an official postal depository at 1775 Wehrle Drive, Suite 100, Williamsville, NY under the care and custody of the United States Postal Service within the State of New York.

Name and Address of Party Served	Mode of Service
Aronow Law, PC <i>Attorney for Defendant Earl W. Cokley</i> 7600 Jericho Turnpike, Suite 115 Woodbury, NY 1179	<input checked="" type="checkbox"/> Regular mail via USPS <input type="checkbox"/> Certified mail/RR <input type="checkbox"/> E-mail <input type="checkbox"/> Notice of Electronic Filing (NYSCEF) <input type="checkbox"/> United Parcel Service <input type="checkbox"/> FedEx

The foregoing statements are true, under penalty of perjury.

  
\_\_\_\_\_  
Melissa S. Krause  
Legal Assistant

Sworn to before me this February 10, 2022

  
\_\_\_\_\_  
Dawn M Peters      Dawn M Peters  
Notary Public      Notary Public, State of New York  
                                 Certified in Erie County  
                                 License No. 01PE6277388  
My Commission Expires March 4, 2025